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LITIGATION

DATE: September 19, 2005

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(Including transmittal)

TO: Examiner Jenna-Leigh Befumo

OF: U.S. Patent and Trademark Office

TELEFACSIMILE NO.: (703) 872-9306

FROM: Jennifer R. Mahalingappa, Esq.

Re: U.S. Application No. 10/725,238
Filed: December 1, 2003
Our Reference: XMD-012

PLEASE SEE ATTACHED

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission: 3

Application Number	10/725,238
Filing Date	December 1, 2003
First Named Inventor	Stephen H. TSIARKESOS
Art Unit	1771
Examiner Name	Jenna Leigh BEFUMO
Attorney Docket Number	XMD-012

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☑ Amendment/Reply
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
 - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
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- ☐ CD, Number of CD(s) _____
 - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The H.T. Than Law Group		
Signature	Jennifer R. Mahalingappa		
Printed name	Jennifer R. Mahalingappa		
Date	September 19, 2005	Reg. No.	47,765

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	Joy L. Clay		
Typed or printed name	Joy L. Clay	Date	September 19, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Attorney Docket No. XMD-012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Stephen H. TSIARKESOS *et al.*
Application No.: 10/725,238 Group Art Unit: 1771
Filed: December 1, 2003 Examiner: J. BEFUMO
For: STITCH-BONDED FABRICS UTILIZING STRETCHABLE SUBSTRATES

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response is to the Restriction Requirement mailed on September 1, 2005. The applicants elect Group I including at least claims 1-29 and 35-47. Furthermore, as the applicants have elected Group I, the applicants further elect the species comprising a solid thermoplastic binder material, including at least claims 1-7, 11-15, 17-25, 35-36, and 43-47. The examiner has designated claims 1-7, 29, 35-36, and 47 as generic to all of the claims of Group I vis-à-vis the species election. As such, the applicants respectfully reserve the right to have the claims readable on the non-elected species considered in this application should any of the generic claims be allowed.

This election is without traverse. The applicants believe that no fees are due in connection with the submission of this Response. If any fee is due, the Commissioner may charge appropriate fees to The H.T. Than Law Group, Deposit Account No. 50-1980.

Respectfully submitted,

Date: September 19, 2005

Jennifer R. Mahalingappa
Registration No. 47,765

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September 19, 2005

Mr. Richard I. Lacy
Xymid, LLC
200 Lake Drive
Suite A
Newark, DE 19702

Re: U.S. Patent Application No. 10/725,238
Filed: December 1, 2003
"Stitch-bonded Fabrics Utilizing Stretchable Substrates"
Inventors: S. Tsiarkesos and D. Zafiroglu
Your Reference: XY-014 ("Goop")
Our Reference: XMD-012

Dear Dick:

Pursuant to your instructions, we prepared and filed a Response to Restriction Requirement in the U.S. Patent and Trademark Office (PTO) on September 15, 2005. Enclosed, please find a copy of the Response as filed, for your records.

If you have any questions, please do not hesitate to contact me.

Best regards,

Jennifer R. Mahalingappa
Associate

JRM/jc

Enclosure:
Copy of Response to Restriction Requirement

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